

FORM PTO-1390

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371**

ATTORNEY'S DOCKET NUMBER

43890-495

U.S. APPLIC. NO. (if known, see 37 CFR 1.5)

09/787,756

INTERNATIONAL APPLICATION NO.

PCT/JP00/05492

INTERNATIONAL FILING DATE

August 17, 2000

PRIORITY DATE CLAIMED

August 19, 1999

TITLE OF INVENTION

DISK LOADING APPARATUS

APPLICANT(S) FOR DO/EO/US

Hidehiko OTA

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☐ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ has been transmitted by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US)
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ have been transmitted by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendment has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 16. below concern other document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A FIRST preliminary amendment.  
☐ A SECOND or SUBSEQUENT preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☐ Other items or information.

U.S. APPLIC. NO. (if known, see 37 CFR 1.50) 09/787,756		INTERNATIONAL APPLICATION NO. PCT/JP00/05492		ATTORNEY'S DOCKET NUMBER 43890-495	
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				CALCULATIONS	PTO USE ONLY
17. <input type="checkbox"/> The following fees are submitted:  <b>Basic National Fee (37 CFR 1.492(a)(1)-(5)):</b> Search Report has been prepared by the EPO or JPO <span style="float:right">\$860.00</span>  International preliminary examination fee paid to USPTO (37 CFR 1.482) <span style="float:right">\$690.00</span> No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2)) <span style="float:right">\$710.00</span>  Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO <span style="float:right">\$1,000.00</span>  International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4) <span style="float:right">\$100.00</span>  <div style="text-align: right;"><b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b></div>					
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$	
Claims	Number Filed	Number Extra	Rate		
Total Claims	-20 =		x \$18.00	\$	
Independent Claims	-3 =		x \$80.00	\$	
Multiple dependent claim(s) (if applicable)			+ \$270.00	\$	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$	
Reduction by 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed. (Note 37 CFR 1.9, 1.27, 1.28).				\$	
<b>SUBTOTAL =</b>				\$	
Processing fee of \$130.00 for furnishing the English translation later than the <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$	
<b>TOTAL NATIONAL FEE =</b>				\$	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$	
<b>TOTAL FEES ENCLOSED =</b>				\$	
				Amount to be: refunded	\$
				charged	\$

a. ☐ A check in the amount of \$ \_\_\_\_\_ to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ to cover the above fees. A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 500417. A duplicate copy of this sheet is enclosed.

**NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.**

SEND ALL CORRESPONDENCE TO:

McDERMOTT, WILL & EMERY  
600 13<sup>th</sup> Street, N.W.  
Washington, DC 20005-3096  
(202) 756-8000  
Facsimile (202) 756-8087

SIGNATURE for 37,449

Michael E. Fogarty

NAME

36,139

REGISTRATION NUMBER

May 22, 2001

DATE

Docket No.: 43890-495

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of

Hidehiko OTA

Serial No.: 09/787,756

Filed: March 22, 2001

For: DISK LOADING APPARATUS

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Group Art Unit:

Examiner:

**RESPONSE TO NOTIFICATION  
OF MISSING REQUIREMENTS**

Box Missing Parts  
Commissioner for Patents  
Washington, DC 20231

Sir:

In response to the Notification of Missing Requirements dated April 23, 2001, submitted herewith are the following documents for filing in the above-referenced application:

1. Declaration and Power of Attorney (which is in compliance with 37 CFR 1.63)
2. Assignment

To the extent necessary, Applicants petition for an extension of time under 37 C.F.R.


1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

09/787,756

It is requested that the official filing receipt now be issued.

Respectfully submitted,

MCDERMOTT, WILL & EMERY

 37,449  
Michael E. Fogarty  
Registration No. 36,139

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